

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

JUDITH RÉ,

Plaintiff,

v.

JODI R.R. SMITH, AND
BARNES & NOBLE, INC.,

Defendants.

Civil Action No. 04-11385-RGS

DEFENDANTS' MOTION TO ADMIT DANIEL P. WAXMAN *PRO HAC VICE*

Defendants Barnes & Noble, Inc., and Jodi R.R. Smith (collectively, "Defendants"), by their undersigned counsel of record, hereby move pursuant to Local Rule 83.5.3 of the Local Rules of the United States District Court for the District of Massachusetts that Daniel P. Waxman, Esq., attorney with the law firm of Bryan Cave LLP, be admitted to appear *pro hac vice* and practice in this Court in this case on behalf of Defendants.

Mr. Waxman is a member in good standing of the bar of the State of New York, as well as the bars of the U.S. District Court for the Southern District of New York, and the U.S. District Court for the Eastern District of New York. There are no disciplinary proceedings pending against Mr. Waxman in any jurisdiction, and Mr. Waxman is familiar with the Local Rules of this Court.

The affidavit of Mr. Waxman attesting to the foregoing is submitted herewith.

Dated: June 14, 2005

DEFENDANTS JODI R. R. SMITH and
BARNES & NOBLE, INC.

By their attorneys,

\s\ Jeffrey E. Francis

Richard S. Sanders (BBO # 562014)

Jeffrey Francis (BBO#639944)

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